

To: Honorable Judge Paul G. Gardephe, U.S.D.J. - SDNY

500 Pearl Street

New York, NY 10007

From: Brandon Green Reg. No. 56400-054

Defendant, Pro Se

cc: AUSA Jessica Feinstein

Re: Case No. 16 Cr. 281--002 (PGG)

Date: January 31, 2021

NOTICE OF INFORMATION NOT SENT OR RECEIVED

Your Honor:

I'm writing you to follow up with this Court regarding my requests for information from, inter alios, my previous attorneys and the Government. I'd like to inform this Court that I still have not received all the information that I seek, and desperately need; therefore, I'm asking this Court for assistance in obtaining this information, and to help ensure that I'm given adequate time to review such before being required to submit to this Court my affidavit of facts setting forth my claims against the attorneys who've represented me in this matter. Currently, there is a deadline of February 9, 2021, which this Court previously set for me to submit my affidavit of facts; so, until I receive the information I'm lacking, the interests of justice will best be served by this Court granting me additional time to submit my affidavit of facts.

To date, the Attorney Steven Witzel has sent me several documents and CDs containing what appears to be most if not all the attorney Zoe Dolan's client file for me, among other things, and, several - but not all - of the admitted exhibits used at my trial. I just recently received this information, the most recent of which I received this past week, along with a letter from Mr. Witzel dated, January 27, 2021. There is a lot of information here too; thousands of pages of documents, audio and video files, and photographs. The trial here lasted nearly five (5) weeks, and involved several defendants, so, it should come as no surprise to learn that the Record here is "extremely" extensive. Considering this, it will take

me some time to adequately review everything, so that I can meaningfully be heard with respect to all my post-conviction claims that my rights have been violated, resulting in my being illegally and moreover wrongfully convicted.

The claims I'm raising are serious, and a lot is at stake here: If sentenced, I'm facing a possible minimum mandatory of 20 years imprisonment and could face up to life. Furthermore, the claims that I'm raising here allege detrimental violations of my most fundamental and basic rights, in addition to claims of crimes being committed by the Government and my own attorneys. This is serious, and half-measures will avail nothing here. Instead, this Court - and all parties involved here - should be doing all that's in their power to help correct these injustices.

The information that I've been requesting, but still have not received includes, but is not limited to, the following:

1. My client file from the attorney(s) Eric R. Breslin, and Melissa S. Geller;
2. The Government's exhibit(s) relating to the August 3, 2010 Traffic Stop, to-wit: Government exhibit(s) 227, 228, and 236 (these are map(s) and photograph(s) of the Honeywell Complexes and surrounding area in the Bronx, which were shown to Officer Sisco and other Government witnesses at trial (see trial transcript (TT) Pg(s). 854, 2167-2168, 2836-2837);
3. Stipulations regarding the August 3, 2010 traffic stop: the stipulations entered between attorneys Eric. R. Breslin and Melissa S. Geller, and the Government, stating that: "The parties have stipulated that: 'The Bronx District Attorney's Office dismissed the state criminal charges resulting from the arrest of Brandon Green on August 3, 2010.' (Government Exhibit 1012) (see TT Pg. 2884);
4. The email(s) between my trial attorneys, Mr. Breslin and Ms. Geller, to the Government, where my attorneys sent the information in their possession regarding the August 3, 2010 traffic stop and officer Sisco, to comply with their discovery (Brady/Giglio) obligations; and, a list of exactly everything that was sent to the Government by my attorneys regarding this;
5. A list of all the information disclosed by the Government to my trial attorneys in connection with the August 3, 2010 Traffic Stop, and Officer Sisco (the Government told the Court that they sent all of this information to the defense)(see TT Pg.(s) 20-22);

6. Any and all letters submitted to the Court by my trial attorneys in connection with the August 3, 2010 traffic stop (on several occasions my trial attorneys told the Court that they would be submitting letters to this Court regarding this traffic stop and the evidence and testimony associated with it) (see TT Pg(s). 18, and 26);

7. The letter submitted to this Court by my trial attorneys in connection with the August 3, 2010 traffic stop, which Ms. Geller stated was submitted in error (see TT Pg. 19).

Furthermore, I've recently wrote this Court several times stating, among other things, that I still had not received my client file from Mr. Breslin and Ms. Geller because, apparently, their client file, which was on a USB flash drive that was sent to Ms. Dolan did not work, or otherwise contained no readable data. As I stated in my previous letter to this Court, I wrote Mr. Breslin and Ms. Geller asking for my client file, and informing them that if my client file was not received within five (5) days of receipt of the date of the letter I sent them requesting such, that I would be filing a lawsuit and similar complaints. I have still not received this information, in addition to everything else listed above.

Therefore, I'm respectfully asking this Court to please take Notice that I'm without this information, and that I desperately need such in order to proceed here. I ask this Court to please help me to ensure I receive this information by issuing any appropriate Orders, and/or granting any and all available relief deemed appropriate here, to include extending this Court's current deadline of February 9, 2021, for me to submit my affidavit of facts in support of my post-conviction claims of, inter alia, ineffective assistance of counsel against my previous attorneys.

Sincerely,

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Brandon Green Reg. # 56400-054

Defendant, Pro Se

MDC - Brooklyn

P.O. Box 329002

Brooklyn, New York 11232

Brandon Green 50400054

MDC BROOKLYN

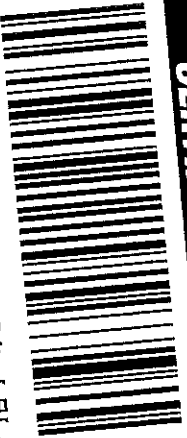
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P.O. BOX 329002

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